

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CIVIL CASE NO. 5:18-cv-00015-MR-DLH**

**RICHARD DARRELL MALTBA,**

**Plaintiff,**

**vs.**

**NANCY A. BERRYHILL, Acting  
Commissioner of Social Security,**

**Defendant.**

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**ORDER**

**THIS MATTER** is before the Court *sua sponte*.

The Plaintiff initiated this action on January 26, 2018, seeking review of the Commissioner's denial of benefits. [Doc. 1]. Along with his Complaint, the Plaintiff filed an Application to proceed without having to prepay the costs associated with prosecuting the matter. [Doc. 2]. On January 31, 2018, the Court entered an Order denying the Plaintiff's Application with prejudice on the grounds that the Court was unable to determine whether the Plaintiff has sufficient resources from which to pay the filing fee for this action. [Doc. 3]. The Court directed the Plaintiff to file an Amended Application within thirty (30) days and specifically warned the Plaintiff that "[f]ailure to file an

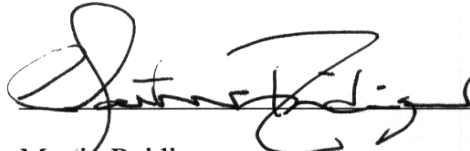
Amended Application within the time required will result in the dismissal of this action without prejudice.” [Id. at 2].

More than thirty days have passed since the entry of the Court’s Order and the Plaintiff has not filed an Amended Application. Accordingly, the Court will dismiss this action without prejudice.

**IT IS, THEREFORE, ORDERED** that the Plaintiff’s action is hereby **DISMISSED WITHOUT PREJUDICE.**

**IT IS SO ORDERED.**

Signed: March 21, 2018

  
Martin Reidinger  
United States District Judge

